



PATENT APPLICATION
Docket: 15436.249.1.2.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ping Xie

Serial No.:

09/944,593

) Art Unit
) 2811

Filed:

August 31, 2001

Confirmation No.:

1721

For:

COMPACT POLARIZATION INSENSITIVE
CIRCULATORS WITH SIMPLIFIED
STRUCTURE AND LOW POLARIZATION
MODE DISPERSION

Examiner:

Lee A. Fineman

TERMINAL DISCLAIMER

Commissioner for Patents
PO Box 1450
Arlington, Virginia 22313-1450

Sir:

Your petitioner, Finisar Corporation, a corporation of the State of Delaware, having a principal place of business at 1308 Moffett Park Drive, Sunnyvale, CA 94089, by and through CARL T. REED, its attorney of record, represents that it is the sole owner of United States Patent Application Serial No. 09/944,593, filed on the August 31, 2001.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimer, of prior Patent No. 6,049,426 and hereby agrees

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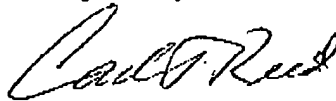
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that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application that would extend to the full statutory term of the prior patent, as presently shortened by any terminal disclaimer, in the event that any said issued patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a), has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Dated this 6th day of April 2004.

Respectfully submitted,



CARL T. REED
Attorney for Applicant
Registration No. 45,454
Customer No. 022913

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